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Pearl Cohen Zedek Latzer, LLP
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In re Patent No. 7,304,313
Issue Date: December 4, 2007
Application No. 10/516,407
Filed: December 2, 2004
Attorney Docket No. P-7448-US

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the Request To Issue Patent In Name Of Assignee Under 37 CFR 3.81(b); Request For Certificate Of Correction; Response To Denial Of Request For Certificate Of Correction, filed on May 26, 2010, requesting correction on the Title Page of the subject patent to identify the correct assignee's name. The Requests are being treated as a Petition Under 37 CFR 3.81(b). A completed Certificate of Correction Form PTO/SB/44 was submitted with the petition.

The petition under 37 CFR 3.81(b) is **GRANTED**.

Petitioner urges that the present Petition was submitted to correct the assignee's name on the previously submitted PTOL-85B and such error was inadvertent. Accordingly, petitioner requests, in effect, that a Certificate of Correction (PTO/SB/44) be issued the correct name of the assignee to the Title Page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:


After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

The requisite \$100.00 fee (Fee Code 1811) as set forth under 37 CFR 1.20(a), and the requisite \$130.00 processing fee (Fee Code 1464) as set forth under 37 CFR 1.17(i) have been submitted. Further, Office assignment records are consistent with the requested correction. Accordingly, since the Petition complies with the provisions of 37 CFR 3.81(b), it is appropriate for the Office to issue a Certificate of Correction in accordance with the content of the form (PTO/SB/44) that was submitted with petition.

Inquiries related this communication should be directed to the undersigned at (571)272-3213.

Any questions concerning the issuance of a Certificate of Correction should be directed to the Certificates of Correction Branch at (571) 272-4200.

This matter is being referred to the Certificates of Correction Branch for processing of a Certificate of Correction in U.S. Patent No. 7,304,313.


Cheryl Gibson-Baylor
Petitions Examiner
Office of Petitions